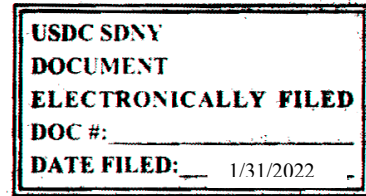


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



-----X
RICARDO VELASQUEZ,

Plaintiff,

21-CV-03214 (PGG) (SN)

-against-

ORDER

ROYAL WINE MERCHANTS, LTD., et al.,

Defendants.
-----X

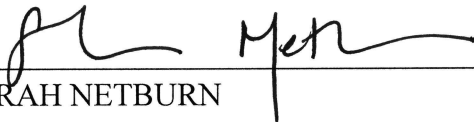
SARAH NETBURN, United States Magistrate Judge:

On October 14, 2021, Plaintiff filed an Amended Complaint. ECF No. 22. That same day, the Court directed Defendant William Realty to file its amended answer and cross-claim after the time to answer expired for any additional defendants named in the amended complaint. ECF No. 21. Plaintiff served newly named Defendant 57 Stone, LLC, through the New York Secretary of State on November 22, 2021. ECF No. 27. Over 60 days have passed since service, and 57 Stone, LLC has not appeared or filed a response to the Amended Complaint. As of the issuance of this order, Defendant William Realty has not filed an amended answer or cross-claim. Additionally, Plaintiff has not responded to Defendant William Realty's cross-claim filed on August 20, 2021.

By February 4, 2022, the parties shall file a letter advising the Court (1) whether Plaintiff intends to move for default judgment against Defendant 57 Stone, LLC, and (2) setting forth a schedule for Defendant William Realty to file its responsive pleading to Plaintiff's Amended Complaint. Unless told otherwise, the Court will assume that Defendant William Realty intends

to refile its counterclaims with its answer to the Amended Complaint rather than move for default.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: January 31, 2022
New York, New York